

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
DOCKET NO. 5:10CV124  
DOCKET NO. 5:06CR41-14-RLV

This matter is before the Court upon Fourth Circuit Court of Appeals Order remanding this matter for further proceedings, filed on April 30, 2014. More specifically, Fourth Circuit granted a certificate of appealability only on Defendant's claim that trial counsel was ineffective for failing to initiate plea negotiations with the Government after Defendant directed him to do so.

On June 23, 2014, this Court stayed its Order scheduling an Evidentiary Hearing in the above captioned matter until the Fourth Circuit ruled on the Government's Petition. On June 26, 2014, the Fourth Circuit denied the Government's Petition. Therefore, the Court will schedule an Evidentiary Hearing in this matter.

**IT IS, THEREFORE, ORDERED** that:

The Bureau of Prisons and the United States Marshals Service is hereby ORDERED to transport and produce the body of JUAN LOPEZ (USM# 20931-058), for an Evidentiary Hearing our August 13, 2014, at 2 PM, before the Honorable Richard L. Voorhees, in the Western District of North Carolina, Statesville Courthouse, 200 West Broad Street, 2<sup>nd</sup> Floor Courtroom, Statesville, North Carolina, not later than July 31, 2014, and upon completion of the

Evidentiary Hearing, Defendant is to be returned to the custody of the Bureau of Prisons.

The Clerk is directed to certify copies of this Order to the United States Attorney, Defendant's Counsel, the United States Marshal Service, and the United States Probation Office.

Signed: June 30, 2014



Richard L. Voorhees  
United States District Judge

